

Economic Impact Statement

LSA Document #13-483

[IC 4-22-2.1-5](#) Statement Concerning Rules Affecting Small Businesses**Description of rule**

This rule amends a rule that provides for the inspection, labeling, and registration of motor fuel and motor fuel outlets. The ISDH inspects every motor fuel outlet in the state under this rule. The amendment brings the rule up to date by including the latest versions of the ASTM International (ASTM) standards that apply to motor fuel, octane and ethanol fuel blends.

Economic impact on small businesses**1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

The ISDH Motor Fuel Inspection Program, Weights, Measures, and Metrology registers all motor fuel outlets in Indiana. That registration does not include information on the workforce of the company that owns the outlet. There likely are a number of motor fuel outlets whose owners have less than 150 employees and a majority of them work in Indiana.

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

The amendments to this rule will not require any additional reporting, record keeping, or other administrative costs to comply with the proposed rule.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule.

There will be no economic impact for compliance with the proposed rule. The motor fuel outlets currently follow these standards as they are the national standard.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule, and not expressly required by the statute authorizing the agency to adopt the rule, or any other state or federal law.

The amendments to this rule do not impose any requirement or cost on small businesses that is not expressly required by the statute authorizing the adoption of the rule. The authorizing statutes are [IC 16-44-3-5](#) and [IC 16-44-3-6](#).

5. Regulatory Flexibility Analysis**A. Establishment of less stringent compliance or reporting requirements for small businesses.**

It is not possible or desirable to establish less stringent compliance requirements for small businesses when you are setting standards for labeling and content of motor fuel. Motor fuel must be the same and labeled the same at all locations of sale.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

It is not possible or desirable to establish less stringent schedules or deadlines for compliance for small businesses. Compliance for motor fuel must be immediate and continuous.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

Consolidation or simplification of compliance or reporting requirements for small businesses is not possible. The national standards must be consistent statewide and nationwide to ensure travel and commerce among the states.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

The standards that must be met are for all, whether it is a large or small business. The standards must be met continuously.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

It is not sensible to exempt small businesses from any of the rules requirements or costs. Requirements for motor fuel must be consistent for all motor fuel outlets so that persons can depend on the motor fuel they are getting. Costs are not increased by the amendments to this rule.

Conclusion

This rule amendment does not increase costs or impose burdensome requirements. All motor fuel outlets

must meet the same standards statewide and nationwide in order to maintain interstate commerce. The ISDH is given the authority to inspect these motor fuel outlets to ensure that standards are met and that motor fuel sold is compliant. Noncompliance is costly to the motor fuel outlets because of damage to vehicles' engines and the economy if Indiana motor fuel outlets cannot be trusted to deliver compliant fuel.

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